

Report Date: January 22, 2019

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 23 2019

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Armando Delcon

Case Number: 0980 2:15CR00101-RMP-1

Address of Offender: [REDACTED] Othello, Washington 99344

Name of Sentencing Judicial Officer: The Honorable Marcia A. Crone, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: March 16, 2011

Original Offense: Interstate Travel in Air of a Racketeering Enterprise, 18 U.S.C. § 1952(a)(3)

Original Sentence: Prison - 90 months
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: No imprisonment
November 2, 2015 TSR - 36 months

Revocation Sentence: Prison - 6 months
July 7, 2016 TSR - 30 months

Revocation Sentence: Prison - 30 days
April 14, 2017 TSR - 29 months

Revocation Sentence: Prison - 3 months
September 28, 2017 TSR - 26 months

Asst. U.S. Attorney: Caitlin A. Baunsgard

Date Supervision Commenced: December 1, 2017

Defense Attorney: Daniel N. Rubin

Date Supervision Expires: January 31, 2020

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 01/15/2019.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition # 3: You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: The offender is considered to be in violation of his period of supervised release by consuming alcohol on or prior to January 15, 2019.

On December 6, 2017, the offender signed his judgement in a criminal case stating he understood he was not to consume alcohol.

On January 15, 2019, the offender sent a text after he failed to return home and to reply to messages for him to call his officer. The offender stated, "No excuses I got drunk and high last night I don't know wut to say I know it's all bad, I don't get back t you kuz I just woke up Wut do you want me to do I can go turn myself in if you like o don't know why this audition takes control of me I wish I had the Power to totally quit but I guess I don't".

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Special Condition #2: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is considered to be in violation of his period of supervised release by using a controlled substance on or prior to January 15, 2019.

On December 6, 2017, the offender signed his judgement in a criminal case stating he understood he was not to use controlled substances.

On January 15, 2019, the offender sent a text after he failed to return home and to reply to messages for him to call his officer. The offender stated, "No excuses I got drunk and high last night I don't know wut to say I know it's all bad, I don't get back t you kuz I just woke up Wut do you want me to do I can go turn myself in if you like o don't know why this audition takes control of me I wish I had the Power to totally quit but I guess I don't".

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 1/22/2019

s/David L. McCary

David L. McCary
U.S. Probation Officer

Re: Deleon, Armando

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer



Date